

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

Zacco Norway AS
P.O. Box 765, Sentrum
N-0106 OSLO
NORGE

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

BEST AVAILABLE COPY

Date of mailing (day/month/year)		2.8-09-2004
Applicant's or agent's file reference E35992 JFL/J		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/NO2004/000159	International filing date (day/month/year) 04.06.2004	Priority date (day/month/year) 05.06.2003
International Patent Classification (IPC) or both national classification and IPC A63B 22/04, A63B 23/025		
Applicant Flexiped AS et al		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further opinions, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer Christer Bäcknert / MRO Telephone No. +46 8 782 25 00
--	--

Form PCT/ISA/237 (cover sheet) (January 2004)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/NO2004/000159

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

BEST AVAILABLE COPY

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/NO2004/000159

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	2-42	YES
	Claims	1	NO
Inventive step (IS)	Claims	5-42	YES
	Claims	1-4	NO
Industrial applicability (IA)	Claims	1-42	YES
	Claims		NO

2. Citations and explanations:

Documents cited in the International Search Report:

D1: WO0068067 A1

D2: FR2702667 A1

D1 discloses a footrest platform device (1) for use in apparatus for physical exercise, wherein the platform is limitedly tiltable to both sides transverse to the longitudinal axis of the platform. The platform's degree of tiltability is adjustable through the adjustment spring (7).

Also, D2 shows a footrest platform device (1) for use in an apparatus for physical exercise, which platform is limitedly tiltable in the same sense as defined in claim 1.

Thus, each the subject matter of claim 1 lacks novelty, because each of D1 and D2 discloses such a footrest platform as defined in claim 1. The claim consequently also lacks an inventive step.

Further, the subject matter of claims 2-4 is considered to be obvious to a person skilled in the art in relation to the disclosures of D1 and D2. Claims 2-4 are considered to lack an inventive step.

BEST AVAILABLE COPY